

Congress of the United States
Washington, DC 20510

June 7, 2023

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20522

Dear Secretary Blinken:

We write to express concern with your plan to invite the Chief Executive of the Hong Kong Special Administrative Region, John Lee Ka-chiu, to attend the Asia-Pacific Economic Cooperation (APEC) Leaders' Meeting in San Francisco in November. Because of the Hong Kong government's violent suppression of peaceful protesters in 2019, inviting Chief Executive Lee to attend the APEC meeting sends a terrible signal to human rights violators worldwide.

In 2020, Chief Executive Lee was sanctioned by the U.S. Department of Treasury for his role as Hong Kong's Secretary for Security, when he chose violence against peaceful protesters who were using their voices against the draconian National Security Law (NSL). The Department of Treasury noted that Chief Executive Lee was "... involved in coercing, arresting, detaining, or imprisoning individuals under the authority of the...[NSL]... as well as being involved in its development, adoption, or implementation." Due to his status as a sanctioned individual, Chief Executive Lee is not allowed to visit the United States unless given a waiver by the administration.

It is in this context that we are dismayed to learn that the Biden Administration plans to waive the sanctions on Chief Executive Lee and allow him into the United States to attend the APEC meeting. In response to a question for the record, Deputy Secretary of State Wendy Sherman confirmed "[t]he United States plans to invite Hong Kong Chief Executive John Lee to attend APEC. As the host, we believe it is important to foster regional economic dialogue and for the United States and [the People's Republic of China] to work together to maintain global macro-economic stability." While we understand the importance of fostering regional economic dialogue with our Indo-Pacific allies and partners, inviting a sanctioned human rights abuser is an affront to all those who have been persecuted by the Chinese Communist Party and the People's Republic of China (PRC), and its proxies in Hong Kong, including American citizens Samuel Bickett and John Shing-Wan Leung, as well as prominent Hong Kong leaders Jimmy Lai Chee-ying, Cardinal Joseph Zen Ze-kium, and Joshua Wong Chi-fung.

As you know, the *Hong Kong Human Rights and Democracy Act of 2019* (P.L. 117-328) requires you to annually certify whether Hong Kong holds the high degree of autonomy it enjoyed when transferred to the control of the PRC in 1997. Starting in 2020, and as recently as March 2023, every U.S. Secretary of State, including you, has not certified that Hong Kong enjoys this autonomy and therefore does not warrant treatment under U.S. law in the same

manner as they were applied in 1997.¹ Inviting Chief Executive Lee to APEC would be tantamount to recognizing Hong Kong as a separate economy from the PRC, when in fact, and according to U.S. law, it is not. We therefore urge you to deny any action that would give the PRC disproportional representation at APEC, including prohibiting Chief Executive Lee from entering the United States.

Thank you for your attention to this important matter.

Sincerely,



Marco Rubio
U.S. Senator



Jeffrey A. Merkley
U.S. Senator



Christopher H. Smith
Member of Congress



James P. McGovern
Member of Congress

¹ <https://www.state.gov/2023-hong-kong-policy-act-report/>